

Elise M. Baumgarten

Associate

Elise Baumgarten litigates civil and criminal cases, with an emphasis on patent and complex commercial disputes. Elise has represented corporations, professional firms, and individuals in a broad range of cases, at both the trial and appellate levels, in federal and state courts, and in FINRA and AAA arbitration proceedings.

Elise's patent litigation practice focuses primarily on disputes concerning pharmaceuticals and software. She has represented clients in Hatch-Waxman litigation, in *inter partes* review proceedings before the USPTO, and disputes dealing with the intersection of patent and antitrust law. Elise also has experience in a range of other substantive areas, including white-collar criminal defense, accounting malpractice, trade secrets and restrictive covenants, First Amendment, and commercial disputes. She recently first chaired a week-long FINRA arbitration, defending two individual defendants facing claims by their former employer of millions of dollars of damages.

A native of Atlanta, Georgia, Elise graduated *summa cum laude* with both a Bachelors and Master's Degree in Political Science from Emory University. She then earned a law degree, with honors, from Harvard Law School, where she served as an Articles Editor for the *Harvard Law Review*. She joined the firm in 2011, after clerking for the Honorable Paul V. Niemeyer of the Fourth Circuit.

Representative Experience

Though all cases vary and none is predictive, Elise's experience includes:

- First chair defense counsel for two bankers in a FINRA arbitration involving allegations of trade secret misappropriation and violation of restrictive covenants. After a week-long arbitration, the panel returned a complete defense verdict, rejecting the Plaintiffs' requests for millions of dollars of damages.
- Trial counsel for RMBS trader in month-long federal criminal jury trial. After appeal, all charges were dismissed against the individual.
- Represented a "Big Four" accounting firm in a two-year arbitration trial, which concluded with the panel's dismissal of all claims.
- Represented Endo Pharmaceuticals in antitrust litigation concerning allegations that a patent settlement between Endo and Watson Pharmaceuticals concerning Endo's pain patch, Lidoderm®, violated



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Education

Harvard Law School, J.D., cum laude,
2010: Articles Editor, Harvard Law
Review

Emory University, M.A., 2007

Emory University, B.A., with highest
honors, 2007: Phi Beta Kappa

Admissions

New York and District of Columbia
United States Court of Appeals for the
Fourth Circuit

United States District Courts for the
District of Maryland and District of
Columbia

antitrust law.

- Represented Eli Lilly, Daiichi Sankyo, and Ube Industries against numerous generic manufacturers in district court litigation, *inter partes* review proceedings, and on appeal relating to patents protecting Lilly's and Daiichi Sankyo's Effient® products.
- Represented Alcon in litigation and *inter partes* review proceedings relating to its Vigamox® and Moxeza® products.
- Represented a Fortune 500 corporation in *qui tam* false claims litigation in California federal and state courts; after years of litigation, the litigation was resolved by complex settlements.
- Successfully defended libel suit brought by son of President of Palestinian Authority.
- Represented Google in patent litigation in Delaware and in related *inter partes* review proceeding.
- Represented a major computer company in *inter partes review* proceeding regarding software for processing big data.
- Represented national accounting firm in multiple accounting malpractice actions in state courts.
- Represented, *pro bono*, an individual seeking a restraining order against domestic abuser and an individual seeking damages for over-detention in prison.